

**What is the primary function of the Land Services Dept.?**

We have a fiduciary duty to uphold the Trust Responsibility to Tribal Land Owners. Coeur d'Alene Indian Land is sovereign soil. The farmers are farming Indian land because the Tribal Council approves each lease by resolution as a result of Sovereignty. This office manages all land actions now in place of the Bureau of Indian Affairs, as a result of the Tribe seeking more self sufficiency because of its Sovereignty. The farmers or renters are expecting a fair accounting of any revenues paid to tribal members and we will give them that. The Tribal land owners are expecting that same accounting and an advocate to voice their concerns, their desires from being land owners of sovereign soil. We are the office where all that happens and it can take any form of management from field burning for increasing crop revenues for owners and renters, to proposing policy changes that will recognize the unique aspects of Coeur d'Alene Sovereignty over its land base.

**Please describe to me how the "Land Services Department" is important to the Tribe and to the community.**

The Tribe allows Land Services to exercise sovereignty over every one of its land resources. (Sovereignty is the ability of a group of people, tribe, town, county, state or nation to create its own law, govern over its people and resources.) We are taking over the role of the Indian Agent from a historically unjust position to one today where this Office advocates for the rights of the Land Owners, and seeks out the most advantageous benefits possible from ownership of the land. We also are still seeking out some more accountability from all agencies and departments that serve us from the Federal government, while securing our own records in a manner that still gives access to the people. We don't want to have to request records from the cave in Lenexa, Kansas every time we need something. We ask the questions that any land owner should be asking. For example land owners might want to start asking: How did this land get appraised at this value? What formula did you use to find an average weight for my share of the crops? Did you take the average from the first outer cuts of the field where it typically doesn't weigh as much? Why is your fence on my property? Why is your house on tribal property? Do I really have to pay for you to fertilize my crop? Should you really sell my wood after the contract for a 3,000 percent mark up? Who authorized this road through my land? Did I really sign the contract for this sale? Do you have a copy of my will so that I know my heirs will receive my land? Did my renter get permission to switch crops? Is my renter getting a fair deal? If you don't feel comfortable asking any of those questions, then that is what all the Tribal departments, including the Land Services Office, are here for and we'll refer you to the right person in the event we can't answer those questions.

**How much historical or untouched land have you to been able to work with and is there a "special" process that you have to do to with these areas?**

We have helped identify cultural sites with other offices here in the tribe to ensure that land use would not damage those sites. We also have had other agencies, departments and tribal members come in to tell us about significant sites that the Tribe might want to consider protecting.

**How many employees do you have on staff with you and does every one have a separate title or duty?**

We have the Smoke Management Officer who also is the Lease Compliance Officer; we have the Probate Clerk; we have the Leasing/Conservation Specialist, and we are in the process of selecting a new Administrative/Realty Assistant.

**Would you say that your department plays a big role in the development or growth of the reservation (economic, developmental, population, etc?)**

You know Princeton defines economics as a social science that studies *“the production, distribution and consumption of goods and services and their management.”* I might add that it’s a way of dealing with minimal resources and maximal demands from those resources. It gets even more complicated when an agency like the BIA or Office of Special Trustee proposes to discount (or decrease) the land appraisal values of land that has multiple ownership. A lot of people want to be owners (maximal demand) of traditional Coeur d’Alene land (the minimal resource because we only have so much land). We’re staying current on the legislation proposed by the Office of Special Trustee that would take value from multiple owners so that a Tribe could buy the land cheap. When the tribe has full ownership the new legislation would restore the value of the land to its real value. It’s our mission to educate people that real value is real value; it doesn’t change. Price changes. I’d like to see the new legislation include Utility Derived Value as the definition of land value because then any tribal member who wants to sell or own land can do so at the value derived from that whole ownership. As tribal members, we all share everything anyway, and culturally we can assign utility derived value and not even think twice about it. We also play a role in that we maintain the ownership records. We witness the passing of land from generation to generation. We verify that the Federal Government is maintaining an accurate record of all land owners. The records that we maintain identify lessees and lessors, the terms of their contracts and the payment to all individuals involved. This office actually does go out and identify trespasses on Tribal Property which include a number of thefts, reservation-wide. Those thefts have included both tribal and non-tribal land owners who had property being stolen. Recently, our Smoke Management Program was put to the test in the recent ruling on Idaho’s Field Burning Issue. We have a unique program here in that we do not follow the Federal Air Rules for Reservations, we have our own rules, our own program, our own Smoke Management Officer, and it passed the test by “fire.” While Idaho couldn’t burn, our program protected the interests of both the tribal land owners and their renters by allowing them to continue field burning. This helped to increase crop yields and upheld the fiduciary duty to use the best management techniques available to maximize the profit returned to tribal land owners. We’re also keeping abreast of the different solutions to applying for Federal Programs which have some fairly stringent guidelines that make it near to impossible for Tribes to participate. We have some different ideas about how to make more program money available to the land owners and ultimately their renters who do a lot of work on our farms and ranches for us.

**What is the main type of land your department works with, farm and commercial, residential, preserved or even expanded?**

Indian land is the main type of land we work with. The two types of Indian Land we work with are Fee and Trust Land, and that is a huge issue right now. We maintain the records for process of conversion from Fee to Trust which is a huge issue right now with the Counties. This reservation is primarily agricultural. But when any land passes through probate, we also have a hand in making sure that it is recorded accurately. We have had some tribal members also come in to us to ask for assistance with trespasses on land that was primarily timber. We have had some assistance from Tashi Sakota, a legal intern from the University of Idaho Law School who has produced some good results in the quest for Fee to Trust conversions.

**Would you say that this is a fast paced environment?**

I would say that it is because I have been finding that many of our records do not match what the Bureau of Indian Affairs Land Title Records Office Title Plant has on record. We are left with trying to have their office correct the mistake and that holds up land actions that we are taking when people expect them in a certain amount of time. So, yes we scramble when that happens and recently it's been happening quite a bit.

**What are some of the major projects that you and your team are working on now?**

We're currently working on Trust Asset Accounting Management System Conversion, Full implementation of Docuware, Maintaining our Smoke Management Program, Clearing a Probate back log which is primarily being held up at the Federal level, and preparing nearly two hundred land sale transactions where tribal members and non-tribal members are trying to sell their land back to the Tribe. We also had some major work from Veronica Matt in verifying the presence of all our records in each of our 24 filing cabinets. She brought us into compliance with our labeling of all of those files. I believe she had a hand on each and every one of the hundreds of files we have in our office.

**Is there any field work requirement with your department?**

The Smoke Management Office always has people in the field monitoring burns, checking weather, and under the Lease Compliance program we are also out in the field identifying trespasses, compliance with grazing permits, and agricultural lease terms.

**What is the hardest or the most frustrating concerns that you encounter working in this field?**

Answer **A** –Trying to clear a list of land acquisitions that is well over two hundred potential sellers. We have so many requests from people who want to sell land to the Tribe and the list can be exhausting, so we just work each case in as they come along and try to verify them with the priorities set forth by Tribal Council in Resolution\_\_\_ (2006)

Answer **B** –Dealing with the restrictive policy of the Bureau of Indian Affairs and Office of Special Trustee whose authority would seem to approach the fine line of Tribal Sovereignty.

Answer **C** –Having farmers come in and tell land owners that they should go with a 25-75% crop share Lease and not produce their books to justify it is also a concern for this office and should be for each land owner. Actually there are a lot of things that Land owners need to know and lots of questions they can and should be asking their contractors or renters and getting the word out can be frustrating so we are working on preparing a class to educate land owners about their rights.